

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON VELARDE, et al.,

Plaintiffs,

v.

UNION CITY POLICE DEPARTMENT, et
al.,

Defendants.


Case No. [13-cv-04011-JD](#)

REVISED FINAL VERDICT FORM

The Court gives this revised final verdict form to the jury, following consultation with the parties and resolution of all conflicts.

IT IS SO ORDERED.

Dated: December 11, 2015



JAMES DONATO
United States District Judge

Your answers must be unanimous:

Question No. 1: Section 1983 Excessive Force under the Fourth Amendment

Do you find by a preponderance of the evidence that one or more of the defendants violated Heide Velarde's Fourth Amendment rights by using unreasonable force against her?

Baumgartner ☐ YES ☐ NO

J. Martin ☐ YES ☐ NO

Question No. 2: Section 1983 Unlawful Arrest under the Fourth Amendment

Do you find by a preponderance of the evidence that one or more of the defendants violated Heide Velarde's Fourth Amendment rights by arresting her without probable cause?

Baumgartner ☐ YES ☐ NO

J. Martin ☐ YES ☐ NO

Question No. 3: State Law Assault

Do you find by a preponderance of the evidence that one or more of the defendants assaulted Heide Velarde?

Baumgartner ☐ YES ☐ NO

J. Martin ☐ YES ☐ NO

Question No. 4: State Law Battery

Do you find by a preponderance of the evidence that one or more of the defendants battered Heide Velarde?

Baumgartner ☐ YES ☐ NO

J. Martin ☐ YES ☐ NO

Question No. 5: State Law False Arrest

Do you find by a preponderance of the evidence that one or more of the defendants wrongfully arrested Heide Velarde?

Baumgartner ☐ YES ☐ NO

J. Martin ☐ YES ☐ NO

Question No. 6: Damages

Answer this question only if you answered “yes” at least once in Question 1 through 5. What amount of damages has Heide Velarde proven by a preponderance of evidence that will fairly and reasonably compensate her for her injury?

\$_____

Question No. 7: Nominal Damages

Answer this question only if you answered “yes” at least once in Question 1 or 2 and you answered \$0.00 or no damages in Question 6. You must award Heide Velarde an amount of nominal damages not to exceed \$1.00. What amount of nominal damages do you award Heide Velarde?

\$_____

SPECIAL INTERROGATORIES

If you answered “yes” at least once in Question Number 1 or 2, you must answer each of these special interrogatories. Do not answer the interrogatories if you answered “no” in each part of Question 1 or 2.

Special Interrogatory 1:

Before Officer Baumgartner deployed his canine against Heide Velarde, was she kicking Officer J. Martin?

_____ Yes _____ No

Special Interrogatory 2:

Before Officer Baumgartner deployed his canine against Heide Velarde, had she bitten Officer J. Martin?

_____ Yes _____ No

Special Interrogatory 3:

Before Officer Baumgartner deployed his canine against Heide Velarde, did she comply with Officer J. Martin’s command to stop resisting?

_____ Yes _____ No

Dated: _____

FOREPERSON

United States District Court
Northern District of California